

REMARKS

Claims 1-25 are pending. By this Amendment, no claims are canceled, added or amended.

Response to Claim Rejections Under 35 U.S.C. § 103

Claim 1, 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2003/0114836 to Estes et al. (“Estes”) in view of the U.S. Patent Application Pub. No. 2003/0069650 to Karmiy et al. (“Karmiy”). Claims 2-7, 10 and 11 stand rejected under § 103(a) as being unpatentable over Estes and Karmiy and further in view of U.S. Patent Application Pub. No. 2003/0011646 to Levine. Claims 12-25 stand rejected under § 103(a) as being unpatentable over Estes in view of U.S. Patent No. 5,814,015 to Gargano et al. (“Gargano”) and U.S. Patent No. 5,719,761 to Gatti et al. (“Gatti”). These rejections are respectfully traversed, and Applicant respectfully submits that no *prima facie* case of obviousness has been established.

Claim 1 recites “generating a table on a user interface displayed by the computer the computer having a computer peripheral, the table containing a row, the row having a plurality of cells, each cell in the row relating to a different operating parameter for the delivery program,” in combination with the other elements of the claim. The Office Action concedes that Estes does not teach this feature (Office Action, page 3) and instead cites Karmiy. Karmiy, however, does not disclose, suggest or include evidence of “each cell in the row relating to a different operating parameter for the delivery program.” At [0036], Karmiy discloses a “Comments” field that “provides the user with the ability to *optionally* associate a textual comment with a step. Data

stored in the ‘Comments’ field 304j *is not transmitted to the programmable logic controller 116* and may include any information desired by the user.” (Emphasis added.) If the field is optional, is not sent to the programmable controller, and may include any information desired by the user, Karmiy does not disclose or suggest “each cell in the row relating to a different operating parameter for the delivery program,” as required by claim 1.

Therefore, claim 1 is allowable. Claims 2-7 depend from claim 1 and are therefore also now allowable, the rejections of these claims being traversed but not expressly argued in view of the allowability of the underlying base claim, the additional reference cited with respect to these dependent claims failing to the remedy the deficiencies of the references cited with respect to claim 1.

Similar to claim 1, claim 9 currently recites “each cell in the row relating to a different operating parameter for the delivery program,” in combination with the other elements of the claim. At least for reasons similar to those set forth above with respect to claim 1, claim 9 is also now allowable. Claims 10 and 11 depend from claim 9 and are therefore also now allowable, the rejections of these claims being traversed but not expressly argued in view of the allowability of the underlying base claim, the additional reference cited with respect to these dependent claims failing to the remedy the deficiencies of the references cited with respect to claim 9.

Claim 8 currently recites “receiving from a computer, a plurality of data sets, each data set in the plurality of data sets containing a plurality of operating parameters, each data set in the plurality of data sets comprising the same type of operating parameters and at least two of the data sets containing different values for the same type of operating parameter,” in combination with the other elements of the claim. The Office Action concedes that Estes does not teach this

feature (Office Action, page 5) and instead cites to Karmiy for “each data set in the plurality of data sets comprising the same type of operating parameters and at least two of the data sets containing different values for the same type of operating parameter.” Karmiy, however, does not disclose, suggest or include evidence of this feature because, in Karmiy, the operating parameters vary between data sets. Refer, for example, to FIG. 3 of Karmiy and the variation between different rows of the “Action” and “Value” columns (e.g., cell 302a/304g refers to “Feed Pressure LOLO Alarm” while cell 302b/304g refers to “Feed Pressure Alarm Enable,” which are not the same type of operating parameters).

Therefore, claim 8 is allowable.

Claim 12 currently recites a “user-defined identifying name” and “selecting the user-defined identifying name thereby assigning the set of operating parameters identified by the user-defined identifying name to the delivery program,” in combination with the other elements of the claim. None of Estes, Gargano or Gatti, whether taken alone or when combined as suggested in the Office Action, discloses “selecting the user-defined identifying name thereby assigning the set of operating parameters identified by the user-defined identifying name to the delivery program,” as required by claim 12. The Office Action does not even cite a reference with respect to “thereby assigning the set of operating parameters identified by the user-defined identifying name to the delivery program.” Gargano, however, does not “assign[] the set of operating parameters identified by the user-defined identifying name to the delivery program.” Refer, for example, to col. 6, lines 15-30, of Gargano, where Gargano discloses only a “safeguard” against the infusion of an incorrect material. Nothing in this cited portion or any other portion of Gargano “assigns” a set of operating parameters to a delivery program. Gatti

and Estes are also lacking any disclosure or suggestion of this feature. Further, it would not be obvious, given the emphasis at this portion of Gargano with respect to ensuring the proper drug is used and the statement that the procedure “must be followed,” to use a “user-defined identifying name” with Gargano’s drug name, as the Examiner suggests when citing Gatti.

Therefore, claim 12 is allowable. Claims 13-18 depend from claim 12 and are therefore also allowable, the rejections of these claims being traversed but not expressly argued in view of the allowability of the underlying base claim.

Similar to claim 12, claim 19 recites “the processor being programmed to assign the set of operating parameters to the delivery program upon selection of the user-defined identifying name and to execute the set of operating parameters,” in combination with the other elements of the claim. At least for reasons similar to those set forth above with respect to claim 12, claim 19 is also now allowable. Claims 20-25 depend from claim 19 and are therefore also now allowable, the rejections of these claims being traversed but not expressly argued in view of the allowability of the underlying base claim.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance.

Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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